

UNITED STATES DISTRICT COURT  
DISTRICT OF PUERTO RICO

ATLANTIC CITY COIN & SLOT  
SERVICE COMPANY, INC.,

Plaintiff,

v.

PULSAR PUERTO RICO, INC., D/B/A  
DIAMOND PALACE HOTEL AND  
CASINO,

Defendant.

Civil No. 07-1697 (JAF)

**O R D E R**

Defendant, Pulsar Puerto Rico, Inc., moves for relief from our September 26, 2007 default judgment, in which we ordered Defendant to pay Plaintiff, Atlantic City Coin & Slot Company, Inc., \$448,506.28, plus interest, and ordered the immediate seizure of Plaintiff's slot machines from Defendant's possession. Docket No. 33. Plaintiff opposes. Docket No. 34.

Federal Rule of Civil Procedure 55(c) states that "the court may set aside an entry of default for good cause, and it may set aside a default judgment under Rule 60(b)." Rule 60(b) permits the court to relieve a party from a final judgment for, inter alia, "mistake, inadvertence, surprise, or excusable neglect." FED R. CIV. P. 60(b).

Defendant argues that its delay was not willful, that it took prompt action to correct the default, that it had meritorious defenses to the judgment, and that plaintiff was not prejudiced by the delay. Docket No. 33. However, Defendant does not present any facts to support its claim that its delay was unintentional or that

